

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CRIMINAL No.  
21-10045-ADB

UNITED STATES OF AMERICA

v.

PEPO HERD EL, a/k/a PEPO WAMCHAWI HERD

**INTERIM STATUS REPORT**

July 12, 2021 nunc pro tunc June 30, 2021

DEIN, M.J.

An Interim Status Conference was held remotely before this court on June 30, 2021 pursuant to the provisions of Local Rule 116.5(b). Based on that Conference, this court enters the following report and orders to wit:

1. The government has completed its automatic discovery. The defendant is in the process of reviewing the documents produced by the government to date.
2. Documents have been obtained for Dr. Reade. The parties are arranging for a competency hearing before this court.
3. The court held a detention hearing on June 30, 2021. The court was unable to do an arraignment and it was determined that the defendant's mental competency should be determined prior to a formal arraignment. The court has previously entered a verdict of not guilty on the defendant's behalf, although the defendant contests the court's authority to do so.
4. The procedural history of this case is detailed in the Order on Excludable Time issued on this date.
5. This court finds and concludes, pursuant to the provisions of 18 U.S.C. § 3161(h)(7)(A) and Section 5(b)(7)(B) of the Plan for Prompt Disposition of Criminal Cases in the United States District Court for the District of Massachusetts (Statement of Time Limits Adopted by the Court and Procedures for Implementing Them, Effective December 2008) that the defendant requires additional time for the preparation of an effective defense, including time for review of the evidence, preparation of motions, and consideration of alternatives concerning how best to proceed with this matter, and that the interests of justice outweighs the best interests of the public and the defendant for a trial within seventy days of the return of an indictment. Accordingly, it is hereby ordered that the Clerk of this Court enter excludable time for the period of June 30, 2021 through the date of the next status conference and competency hearing.

Based upon the prior orders of the court dated March 29, 2021, April 27, 2021, June 1, 2021 and the order entered contemporaneously herewith, at the time of the next Status Conference and competency hearing there will be zero (0) days of non-excludable time under the Speedy Trial

Act and seventy (70) days will remain under the Speedy Trial Act in which this case must be tried.

6. Counsel for the respective parties shall file a Joint Memorandum before the close of business no less than THREE business days prior to the next Status Conference.
7. It is too early to determine if a trial will be necessary.

      /s / Judith Gail Dein        
JUDITH GAIL DEIN  
UNITED STATES MAGISTRATE JUDGE